

CITY OF LOMPOC
PLANNING COMMISSION STAFF REPORT



MEETING DATE: JULY 11, 2005

TO: MEMBERS OF THE PLANNING COMMISSION

FROM: NATHAN GILBERT, ASSISTANT PLANNER

RE: ZONE CHANGE – ZC 05-02

AGENDA ITEM NO. 1

A request by Euell and Linda Ryles, the property owners, for Planning Commission review and consideration of a Zone Change proposal to amend the City's Zoning Map designation for a property currently zoned Commercial Office (C-O); the Commission will consider recommending a change to Medium Density Residential (R-2). The .16-acre property is located at 200 East College Avenue (Assessor Parcel Number: 87-193-01). A Negative Declaration has been prepared pursuant to the provisions of the California Environmental Quality Act (CEQA).

AUTHORITY:

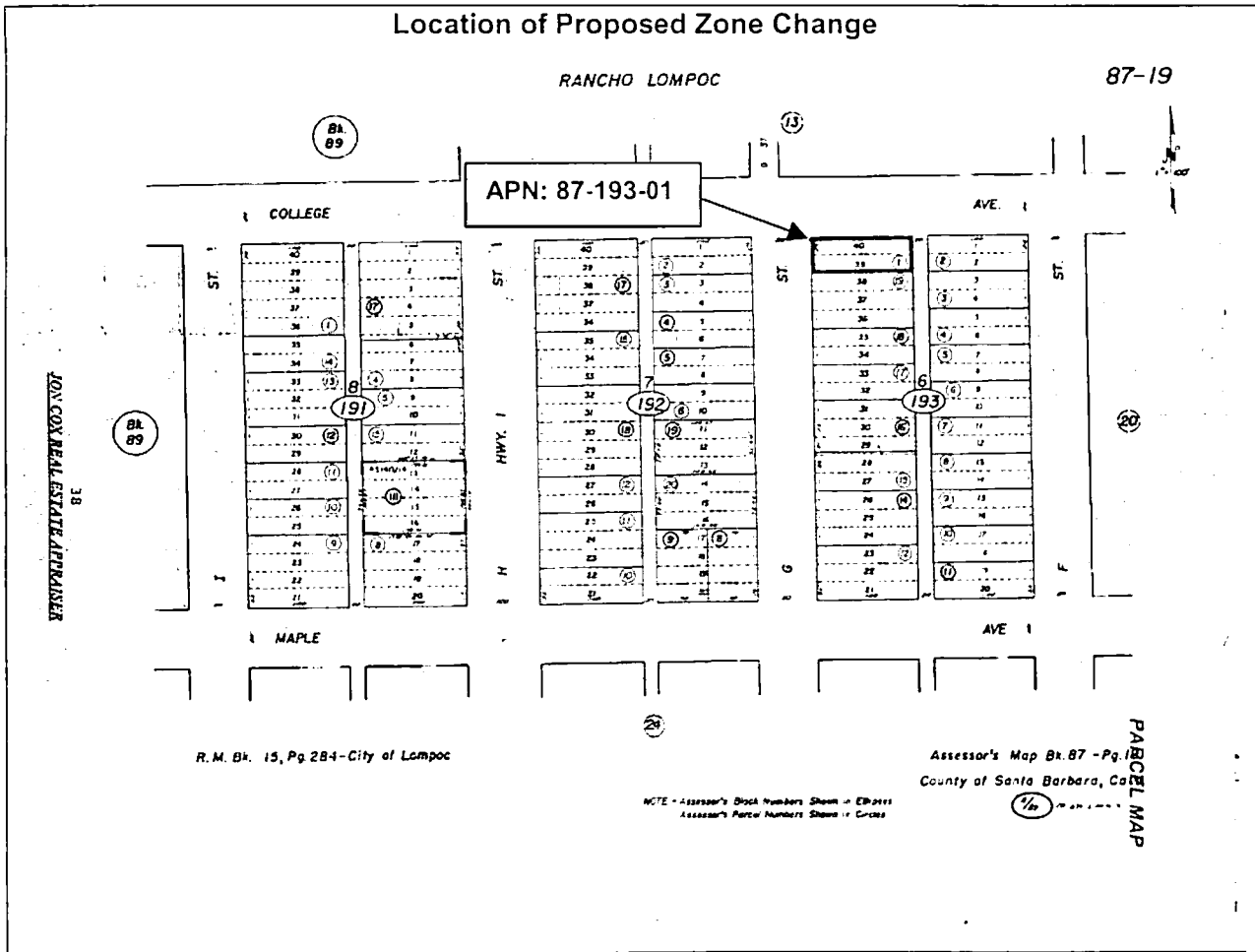
The Planning Commission has the authority to recommend approval or denial of an amendment to the Zoning Ordinance to the City Council (Government Code Section 65855, Lompoc City Code Section 8887).

SITE DATA:

1. Property Owners. Euell and Linda Ryles
2. Site Location. 200 East College Avenue
3. Site Zoning. Commercial Office (C-O)
4. General Plan Designation. Medium Density Residential (MDR)
5. Surrounding Uses/Zoning. North: Residential / (R-3/PD)
South: Residential / (R-3)
East: Residential / (R-3)
West: Commercial / (C-2)
6. Site Use. Existing Legal Center
7. Site Area. 7,000 square feet (.16 acres)

PROPOSAL:

The applicant is requesting a Zone Change (ZC 05-02) from *Commercial Office (C-O)* to *Medium Density Residential (R-2)* in order to permit the operation of a residential drug treatment/detoxification facility. Under California State law, these licensed facilities are considered a residential use of property, providing that they serve six or fewer persons at a time. Once licensed, the proposed residential drug treatment/detoxification facility will operate in an existing 675 square-foot onsite detached structure adjacent to the existing legal center on the .16-acre lot (APN: 87-193-01). The legal center will continue to operate in the existing primary building as a legal nonconforming use.



CONFORMANCE WITH ADOPTED CITY POLICIES:

General Plan:

Land Use Element – Land Use Designation:

The General Plan designation for this property is *Medium Density Residential (MDR)* and the stated purpose is:

To provide residential areas which are in close proximity to schools, shopping and other services; and which are at densities that are responsive to the economic considerations of developing affordable ownership housing and rental housing at various price levels. This category provides a buffer between lower density detached housing areas, higher density multiple-family areas, and commercial areas.

The proposed Zone Change will establish consistency with the existing General Plan designation. The Planning Commission would review specific future development plans as they are proposed to ensure compatibility with adjacent uses.

Zoning Ordinance:

The applicant is requesting a Zone Change that is consistent with the existing General Plan land use designation of *Medium Density Residential*. The California Health and Safety Code (HSC), Section 11834.23. Zoning Preemption states "... an alcoholism or drug abuse recovery or treatment facility which serves six or fewer persons shall be considered a residential use of property for the purposes of this article." Additionally, "No conditional use permit, zoning variance, or other zoning clearance shall be required of an alcoholism or drug abuse recovery or treatment facility which serves six or fewer persons that is not required of a single-family residence in the same zone."

Pursuant to California Health and Safety Code, Section 11834.30. License, these facilities must also possess a site-specific license issued by the California Department of Alcohol and Drug Programs, which is necessary before operating a treatment facility. This agency is responsible for ensuring conformance with all state standards and regulations. This agency imposes no minimum building requirements other than mandatory compliance with fire safety regulations established in the Uniform Building Code. Local fire safety inspectors conduct site visits to ensure compliance prior to state licensure.

ENVIRONMENTAL DETERMINATION:

Based upon the results of the attached Initial Environmental Study, a Negative Declaration has been prepared for Planning Commission review and recommendation to the Council for certification pursuant to the provisions of the California Environmental Quality Act (CEQA).

NOTICING:

Notice of Public Hearing was published in the Lompoc Record on June 17, 2005 and all property owners of record within 300 feet of the subject property were notified by U.S. Mail on July 1, 2005.

APPEAL RIGHTS:

Any person has the right to appeal the Planning Commission action to the City Council within ten days of the action. Contact a Planning Division staff member for the required appeal form. The fee for appeal is \$35.10.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend to the City Council:

- 1) Certification of the Negative Declaration;
- 2) Adoption of Resolution No. 419 (05) recommending Council Approval of Zone Change ZC 05-02 based upon the Findings of Fact noted in the Resolution; and

ATTACHMENTS:

1. Draft Resolution No. 419 (05)
2. Initial Environmental Study and Negative Declaration

RESOLUTION NO. 419 (05)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC RECOMMENDING APPROVAL OF ZONE CHANGE ZC 05-02

WHEREAS, a request was received from Euell Ryles for Planning Commission consideration of a proposal to amend the City's Zoning Map for the property at 200 East College Avenue (Assessor Parcel Number: 87-193-01) from Commercial Office (C-O) to Medium Density Residential (R-2); and

WHEREAS, the request was considered by the Planning Commission at a duly-noticed public meeting on July 11, 2005; and

WHEREAS, at the meeting of July 11, 2005 _____ was present and answered Planning Commissioner's questions and addressed their concerns; and

WHEREAS, at the meeting of July 11, 2005 _____ spoke in favor of, and _____ spoke in opposition to the project.

NOW, THEREFORE, THE LOMPOC PLANNING COMMISSION RESOLVES AS FOLLOWS:

SECTION 1: The existing General Plan Land Use designation for the subject site is *Medium Density Residential*, which is consistent with the proposed zoning of *Medium Density Residential (R-2)*; therefore, it can be found that:

A. The proposed zoning is consistent with the existing General Plan Land Use Designation.

The site is adjacent to streets that contain necessary infrastructure to support the proposed use of the property; therefore, it can be found that:

B. The area is afforded the services and facilities appropriate for the proposed zoning.

The proposed Zone Change will provide a designation compatible with the existing adjacent land uses; therefore, it can be found that:

C. The proposed modification is required for the public necessity, convenience, and general welfare.

SECTION 2: The Initial Environmental Study and Negative Declaration prepared for the Zoning Map amendment show that there is no substantial evidence that the proposed amendment may have a significant effect on the environment, therefore, it can be found that:

NOT DISCUSSED
IN STAFF
MEETING

- D. The proposed zoning change does not have a significant effect on the environment; and
- E. Any effect of the proposed amendment upon fish and wildlife are de minimis and therefore no filing fee is required pursuant to Fish and Game Code Section 711.4 and Public Resources Code Section 21089.

SECTION 4: The Planning Commission resolves that this resolution shall be forwarded to the City Council, pursuant to Section 8887. 3 c. of the Lompoc City Code, with the Commission recommendation that the Council approve ZC 05-02.

The foregoing resolution, on motion by Commissioner _____ seconded by Commissioner _____ was adopted at the regular Planning Commission meeting of July 11, 2005 by the following vote:

AYES:

NOES:

Arleen T. Pelster, AICP, Secretary

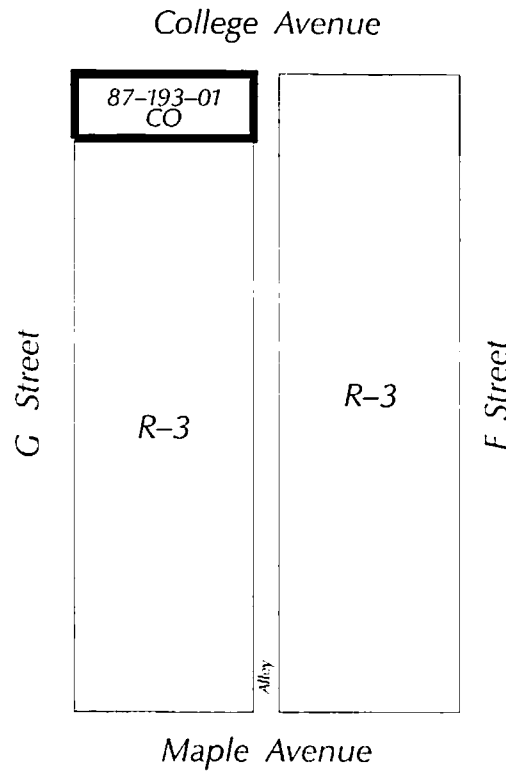
Jack Rodenhi, Chair

Attachment: Exhibit A – Map

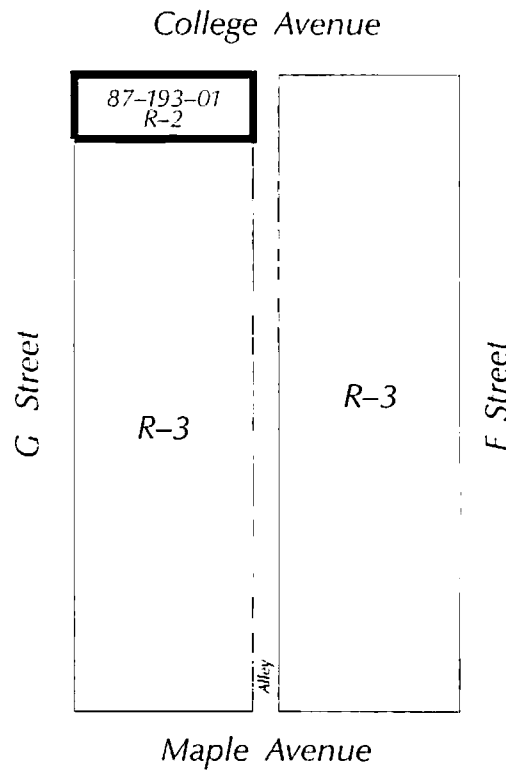
ZONE CHANGE

EXHIBIT A

EXISTING



PROPOSED



CO: Commercial Office
R-2: Medium Density Residential
R-3: High Density Residential

ZC 05-02



SCALE: 1" = 150'

CITY OF LOMPOC
ENVIRONMENTAL CHECKLIST FORM

A. PROJECT INFORMATION:

Project Title: Zone Change	Project No: ZC 05-02
Lead Agency Name and Address: City of Lompoc 100 Civic Center Plaza, Lompoc, CA 93436 P.O. Box 8001, Lompoc, CA 93438-8001	Contact Person and Phone Number: Nathan Gilbert Assistant Planner (805) 875-8197
PROJECT DESCRIPTION / LOCATION: At the request of Euell and Linda Ryles, the property owners, the Planning Commission will consider a proposal to: 1) ZC 05-02 – Zone Change proposal to amend the City's Zoning Map designation for a property currently zoned Commercial Office (C-O); the Commission will consider changing the zoning to Medium Density Residential (R-2). The .16-acre property, located at 200 East College Avenue (Assessor Parcel Number: 87-193-01), is currently used as a legal center.	
Public Agencies with Approval Authority (Including permits, funding, or participation agreements): None	
Project Applicant, Name and Address: Euell and Linda Ryles Law Intake Corporation 200 East College Avenue Lompoc, CA 93436	Project Consultant: N/A
General Plan Designation: Medium Density Residential	City Zoning Designation: Commercial Office
Surrounding Land Use Designation: North - High Density Residential South - Medium Density Residential East - Medium Density Residential West - General Commercial Surrounding Land Uses/Zoning: North - Residential / (R-3, PD) High Density Residential, Planned Development Overlay South - Residential / (R-3) High Density Residential East - Residential / (R-3) High Density Residential West - Commercial / (C-2) Central Business District	
Environmental Setting: Existing urbanized area.	

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:
 The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact", as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology / Soils
<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality	<input type="checkbox"/> Land Use / Planning
<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Population / Housing
<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation / Traffic
<input type="checkbox"/> Utilities / Service Systems	<input type="checkbox"/> Mandatory Findings of Significance	

B. ENVIRONMENTAL IMPACTS:

Identify the potential for significant adverse impacts below. Note mitigation measures, if available, for significant adverse impacts.

I. AESTHETICS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

Comments:

- a) The development of uses permitted in the Medium Density Residential zone on the property will not have a substantial adverse impact on a scenic vista, as there is no scenic vista in the immediate area identified on the City of Lompoc Urban Design Features Map in the Urban Design Element of the City's General Plan, adopted in October of 1997. All future development consistent with the proposed Zone Change will be subject to the City's Architectural Review Guidelines.
- b) The site is not located near a state scenic highway and will not substantially damage scenic resources.
- c) Planning Commission review of future projects on the site will assure compliance with established City *Architectural Review Guidelines*.
- d) The City will review development proposals on a project specific basis and condition all projects to assure that no substantial light and/or glare will adversely affect day or nighttime views in the area.

II. AGRICULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?				X

Comments:

- a) The site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The site is .16-acres, and is within the existing City limits surrounded by existing development.
- b) The proposed Zone Change will not conflict with existing zoning for agricultural use, or a Williamson Act contract as the site is currently zoned Commercial Office (CO) and the size is too small (.16 acres) for a Williamson Act contract to be implemented.
- c) The proposed project will not involve changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use. The site is within the existing City limits and is not currently being used for agricultural purposes.

III AIR QUALITY Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

Comments:

a-e) The proposed Zone Change will not obstruct the implementation of any applicable air quality plan; violate any air quality standard; result in a cumulatively net increase in any criteria pollutant for which the City is in non-attainment; expose sensitive receptors to substantial pollutant concentrations or create objectionable odors affecting a substantial number of people. The existing building will remain on site. There is no new development proposed at this time and any future development plan will be reviewed to assure conformance with Air Quality standards.

IV. BIOLOGICAL RESOURCES Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Comments:

a-d) The proposed Zone Change, and the subsequent future development of the site, will not have a substantial adverse effect on any species identified as a sensitive species in local or regional plans or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, nor will it affect federally protected wetlands, nor will it affect migratory wildlife corridors, nor will it affect biological resources, because the site is in an urbanized area and is not identified in the Lompoc General Plan as being in an area of biological significance.

e) The site is not identified on the "Biologically Significant Areas" Map located in the City of Lompoc General Plan adopted October 1997.

f) The parcel is within an urbanized area with existing development on site. The City of Lompoc Biological Resources Study, prepared by Arthur D. Little in February 1987, identifies no biological resources that will be impacted by any future development of this site.

V. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

Comments:

a-b) The subject site is not identified in the City of Lompoc Cultural Resource Study as having a historical or archaeological resource on the site.

c) The site is not identified on the "Archeological Sensitivity Zones" Map located in the City of Lompoc General Plan adopted October 1997.

d) Future development of the site will not disturb any human remains, including those interred outside of formal cemeteries. The site is not identified on the "Archeological Sensitivity Zones" Map located in the City of Lompoc General Plan adopted October 1997.

VI. GEOLOGY AND SOILS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

Comments:

a) The site is not identified on the City of Lompoc General Plan "Geologic and Soils Hazards" Map as being located in an area subject to liquefaction, landslides, or seismic activity, therefore, future development of the site will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death.

b-e) Based upon the 1987 study by the Morro Group, "City of Lompoc Seismic and Geologic Conditions Study", the area is not subject to unusual geologic activity nor does it have unique features.

VII. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Comments:

a-c) At the time of any future development within the project area, possible impacts due to the use, transport, or storage of hazardous materials will be reviewed and addressed.

d) The site is not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment, based on a check of the lists prepared by the Certified Unified Program Agency of unauthorized releases and fuel tank locations.

e-f) The site is not located within the Lompoc Municipal Airport land use plan nor is it located within the vicinity of a private airstrip, based on a review of the Lompoc Airport Master Plan and the Lompoc General Plan. The Lompoc Municipal Airport, at approximately 1.25 miles away, is the closest airfield to the project site.

g) The proposed Zone Change will not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan.

h) The proposed Zone Change will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, because the site is located in the urbanized area of the City of Lompoc.

VIII. HYDROLOGY AND WATER QUALITY Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Comments:

a-e) The Zone Change will not violate any water quality standards or waste discharge requirements; the project will not substantially deplete groundwater supplies or interfere with groundwater recharge; the project will not substantially alter the existing drainage pattern of the site or area; the project will not create or contribute run-off water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off. The Zone Change was anticipated and included in review of the City's General Plan, adopted in October of 1997.

f) The Zone Change is not expected to violate any water quality standards or waste discharge requirements. The proposed land use will not place a greater demand on water supply or quality than the existing land use designation. There are no rivers or creeks within the project area.

g) The site is located in Zone X of Community Panel No. 060334-0003D, revised 05 June 97 outside the 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

h) Future development of the site will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

i-j) Future development of the site will not create a threat of inundation by seiche, tsunami, or mudflow. The subject site is located approximately 8 miles from the ocean, so tsunamis are very unlikely. The site is also not located near a water body or a significant slope or volcano, so mudflows and seiches are very unlikely.

IX. LAND USE AND PLANNING	Potentially Significant Impact	Less than significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Comments:

a) The site is in an urbanized area and the permitted land uses under the Medium Density Residential zoning designation are compatible with adjacent land uses.

b) The Zone Change will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. Further, the Zone Change will create consistency with the existing General Plan designation of Medium Density Residential. More in depth environmental evaluation will occur during specific project review for any future development.

c) There is not a habitat conservation plan or natural community conservation plan, which applies to the site, therefore, there will be no conflict with such a plan.

X MINERAL RESOURCES Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Comments:

a-b) The proposed Zone Change will not result in a loss of availability of a known mineral resource that would be of value to the region and the residents of the state as the "Mineral Resources" Map in the Lompoc General Plan, adopted October 1997, does not identify the project area as being a locally important mineral resource recovery site.

XI. NOISE Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Comments:

a-c) At the time of any future development on the site, possible impacts will be reviewed and addressed to assure that the development of the site will not expose persons to, or generate, noise levels in excess of standards established in the local general plan or noise ordinance, and that it will not expose persons to excessive groundborne noise levels or result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

d) Short-term construction impacts due to future development of the site will be addressed by standard conditions of approval including limited hours of construction at the time the site is developed.

e-f) The proposed project is not located within an airport land use plan or within the vicinity of a private air strip.

XII. POPULATION AND HOUSING Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads and other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Comments

a) The Zone Change will not induce substantial population growth as the existing Commercial Office building will remain and become a legal nonconforming land use. Future uses permitted in the Medium Density Residential zoning designation are limited to densities that will not have a significant impact on population growth. Future residential development in this zone is restricted to a maximum of two residential units allowed on the .16-acre lot.

b-c) The site is zoned Commercial Office (CO) and the existing building is currently used as a law office. The Zone Change will not displace any housing or people, or require any replacement housing. The proposed change would permit future development to include housing opportunities permitted under the Medium Density Residential zoning designation.

XIII. PUBLIC SERVICES Would the project result in:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				X
b) Fire Protection?				X
c) Police protection?				X
d) Schools?				X
e) Parks?				X
f) Other public facilities?				X

Comments:

a-f) The Zone Change will not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Fire, Police, Schools, Parks, or other public services, because the site is currently within an urbanized area that is already adequately served by City services. The City has sufficient resources to provide required services.

XIV. RECREATION Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Comments

a-b) The Zone Change would permit future development to include the housing opportunities permitted under the Medium Density Residential zoning designation. Under this zoning designation, future residential development on this .16-acre site is restricted to a maximum of two residential units and would not accelerate substantial physical deterioration to existing neighborhood and regional parks and other recreational facilities.

XV. TRANSPORTATION/CIRCULATION Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Comments

a-b) The site is located within an established area that has been previously designated for Commercial Office use. The change to Medium Density Residential would not generate more traffic than the existing zoning designation. Future development of the site may require traffic analysis to assure conformance with existing City standards for Level of Service.

c) The proposed project will not result in a change in air traffic patterns.

d-g) Future development will be reviewed by the Planning Commission to assure safe design of specific projects; adequate emergency access; on-site parking capacity; and support of alternative transportation.

XVI. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the Central Coast Region of the Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Comments:

a) Any future development of the site resulting from the Zone Change will not exceed wastewater treatment requirements of the Central Coast Region of the Regional Water Quality Control Board.

b-c) Any future development of the site resulting from the Zone Change will not require the construction of new water or wastewater treatment facilities, or expansion of existing facilities.

d-e) The project site is located within the City of Lompoc city limits, and the City has sufficient resources to service the site with water and wastewater facilities.

f-g) The City of Lompoc landfill has sufficient capacity to service the proposed use. The project will conform to regulations regarding solid waste.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE Does the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				X
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

DETERMINATION: On the basis of this initial evaluation:	
X	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION , pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Nathan Gilbert
Nathan Gilbert
Assistant Planner

6-16-05
Date



**CITY OF LOMPOC
NEGATIVE DECLARATION**

Pursuant to the State of California Public Resources Code and the California Environmental Quality Act, as amended to date, a Negative Declaration is hereby made on the following project:

Title: Zone Change - ZC 05-02

Location: 200 East College Avenue (Assessor Parcel Number: 87-193-01)


Description: A request by Euell and Linda Ryles, the property owners, for Planning Commission review and consideration of a Zone Change proposal to amend the City's Zoning Map designation for a property currently zoned Commercial Office (C-O); the Commission will consider recommending a change to Medium Density Residential (R-2). The .16-acre property is located at 200 East College Avenue (Assessor Parcel Number: 87-193-01).

The Planning Division of the City of Lompoc has determined that:

There are no significant adverse environmental impacts created by this project.

There are no significant adverse environmental impacts associated with this project if the following conditions/mitigation measures are met.

June 16, 2005
Date


Nathan Gilbert, Assistant Planner
for Planning Division